

BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY

Meeting Date: May 16, 2006 - KL

Division: County Attorney

Bulk Item: Yes X No

Department: County Attorney

Staff Contact Person: Suzanne Hutton

AGENDA ITEM WORDING:

Public hearing to consider adoption of an ordinance to amend temporary housing Section 9.5-227 to allow temporary airport construction, recovery and/or reconstruction housing due to the hurricane damage and losses incurred.

ITEM BACKGROUND:

On 11/16/05 the Board enacted an ordinance creating a new section 9.5-227 to allow for emergency temporary housing as a result of the damage and loss caused by Hurricane Wilma. The proposed amendment will provide for temporary airport construction, recovery and/or reconstruction housing due to the hurricane damage and losses incurred.

PREVIOUS RELEVANT BOCC ACTION:

On 11/16/05 enacted Ordinance 032-2005.

On 4/19/06 BOCC approved the scheduling of a public hearing.

CONTRACT/AGREEMENT CHANGES:

NA

STAFF RECOMMENDATIONS:

Approval.

TOTAL COST: N/A

BUDGETED: Yes No

COST TO COUNTY: N/A

SOURCE OF FUNDS:

REVENUE PRODUCING: Yes No

AMOUNT PER MONTH **Year**

APPROVED BY: County Atty OMB/Purchasing Risk Management

DIVISION DIRECTOR APPROVAL:

Suzanne A. Hutton
SUZANNE A. HUTTON, COUNTY ATTORNEY

DOCUMENTATION: Included X To Follow Not Required

DISPOSITION:

AGENDA ITEM #

**NOTICE OF INTENTION TO CONSIDER
ADOPTION OF COUNTY ORDINANCE**

NOTICE IS HEREBY GIVEN TO WHOM IT MAY CONCERN that on **May 16, 2006 at 3:00 P.M.** at the Key Largo Library, Tradewinds Shopping Center, 101485 Overseas Highway, Mile Marker 101, Key Largo, Monroe County, Florida, the Board of County Commissioners of Monroe County, Florida, intends to consider the adoption of the following County ordinance:

AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS EXTENDING AND MODIFYING INTERIM AMENDMENTS TO CHAPTER 9.5, MONROE COUNTY CODE [LAND DEVELOPMENT REGULATIONS], IN REPOSE TO HURRICANE WILMA AND FOR 2006 EMERGENCY PREPAREDNESS PURPOSES AMENDING INTERIM SECTION 9.5-227, EMERGENCY TEMPORARY HOUSING; PROVIDING FOR TEMPORARY PLACEMENT OF RVS, TEMPORARY AIRPORT CONSTRUCTION HOUSING, AND TEMPORARY RECOVERY OR RECONSTRUCTION HOUSING; PROVIDING SPECIFIC STANDARDS AND PROCEDURES FOR APPROVAL OF RVS, TEMPORARY AIRPORT CONSTRUCTION HOUSING AND TEMPORARY RECOVERY OR RECONSTRUCTION HOUSING AS TEMPORARY EMERGENCY HOUSING; PROVIDING FOR REPEAL OF ALL ORDINANCES INCONSISTENT HERewith; PROVIDING AN EFFECTIVE DATE; PROVIDING FOR FILING IN THE OFFICE OF THE MONROE COUNTY CLERK AND THE SECRETARY OF STATE OF THE STATE OF FLORIDA; AND PROVIDING FOR EXPIRATION WITHIN 360 DAYS OF THE EFFECTIVE DATE.

Pursuant to Section 286.0105, Florida Statutes, notice is given that if a person decided to appeal any decision made by the Board with respect to any matter considered at such hearings or meetings, he will need a record of the proceedings, and that, for such purpose, he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Copies of the above-referenced ordinance are available for review at the various public libraries in Monroe County, Florida.

Dated at Key West, Florida, this 20th day of April, 2006.

DANNY L. KOLHAGE, Clerk of the Circuit Court
and ex officio Clerk of the Board of County
Commissioners of Monroe County, Florida

(SEAL)

Publication dates:

Reporter	(Fr) 4/28/06	(Fr) 5/5/06
Keynoter	(Sa) 4/29/06	(Sa) 5/6/06
KW Citizen	(Su) 4/30/06	(Su) 5/7/06

ORDINANCE NO. -2006

AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS EXTENDING AND MODIFYING ORDINANCE No. 32-2005, INTERIM AMENDMENTS TO CHAPTER 9.5, MONROE COUNTY CODE [LAND DEVELOPMENT REGULATIONS], IN REPOSE TO HURRICANE WILMA AND FOR 2006 EMERGENCY PREPAREDNESS PURPOSES BY AMENDING INTERIM SECTION 9.5-227, EMERGENCY TEMPORARY HOUSING; PROVIDING FOR TEMPORARY PLACEMENT OF RVS; PROVIDING FOR TEMPORARY AIRPORT CONSTRUCTION HOUSING, AND TEMPORARY RECOVERY OR RECONSTRUCTION HOUSING; PROVIDING SPECIFIC STANDARDS AND PROCEDURES FOR APPROVAL OF TEMPORARY AIRPORT CONSTRUCTION HOUSING AND TEMPORARY RECOVERY OR RECONSTRUCTION HOUSING AS TEMPORARY EMERGENCY HOUSING; PROVIDING FOR REPEAL OF ALL ORDINANCES INCONSISTENT HEREWITH; PROVIDING AN EFFECTIVE DATE; PROVIDING FOR FILING IN THE OFFICE OF THE MONROE COUNTY CLERK AND THE SECRETARY OF STATE OF THE STATE OF FLORIDA; AND PROVIDING FOR EXPIRATION WITHIN 360 DAYS OF THE EFFECTIVE DATE.

WHEREAS, the Monroe County Board of County Commissioners (BOCC), after public hearing(s), has reviewed and considered the proposed amendments to the Land Development Regulations (LDRs), comments of the public, recommendations of the Planning Commission, recommendations of staff and the Workforce Housing Task Force and its counsel, and other matters; and

WHEREAS, the BOCC hereby makes the following Findings of Fact:

1. Unincorporated Monroe County suffered significant property damage in 2005, particularly due to the storm surge from Hurricane Wilma; and
2. Pursuant to F.S. 252.36, the Governor executed executive order 05-219 declaring a state of emergency in Florida; and
3. Said declaration of emergency specifically invoked F.S. 252.46 (1) authorizing political subdivisions to make such orders and rules necessary for emergency management purposes, and on November 16, 2005 Monroe County adopted Ordinance No. 32-2005 establishing Section 9.5-227 relating to emergency temporary housing; and

4. The termination of the State of Local Emergency and the continued need for emergency temporary housing during the extended local recovery from Hurricane Wilma requires the Board of County Commissioners to extend and amend previously adopted interim development regulations to, among other things, deal with critical airport construction worker housing and possible future need for emergency housing authority; and
5. Citizens of Monroe County are still recovering from Hurricane Wilma effects and still require interim emergency housing ordinance protection to maintain temporary RVs supplied by FEMA; and
6. The 2006 hurricane season begins in less than six (6) weeks, and pursuant to F.S. 252.311, and F.S. 252.38, respectively, promoting of emergency preparedness, response, recovery, and mitigation capabilities is an important state interest and safeguarding the life and property of the County's citizens through development of emergency management plans and programs, including those providing emergency housing, is an innate responsibility of the Board of County Commissioners; and
7. Monroe County is currently proceeding with substantial construction of safety and capacity improvements at the County's airports, which airports are critical emergency preparedness components both for hurricane evacuations and post-storm recovery efforts; and
8. Contractors now working on airport safety and capacity improvements must stage their temporary work crews from the Florida mainland and they are experiencing severe difficulty in finding temporary housing for their crews; and
9. The County has determined that delays in completing airport safety and capacity improvements are likely without contractors' staging of temporary RVs, trailers and other transient worker lodging facilities on airport property, and the County deems that any such delays will constitute a potentially grave public danger; and
10. The County has determined that airport safety and capacity improvements at both Key West International Airport and Marathon Airport proceed without any avoidable delay; and
11. Following the experience with Hurricane Wilma the County has determined that delays in completing cleanup and reconstruction in the days and months immediately following hurricanes and tropical storms are likely, and any delays will exacerbate recovery efforts without this modified interim regulatory authorization in place to permit staging of temporary transient worker lodging facilities following a natural or manmade disaster; and
12. Objective 501.9 of the comprehensive plan requires that Monroe County be prepared to meet emergencies and rapidly changing circumstances in the Caribbean and the Gulf of Mexico; and

13. Policy 501.9.1 of the comprehensive plan requires Monroe County to adopt Land Development Regulations containing provisions for permitting development of aviation facilities during emergencies; and

14. Goal 501 of the comprehensive plan requires that Monroe County provide aviation facilities to all existing and future residents and guests in a manner that maximizes safety, convenience, economic benefit, environmental compatibility and consistency with other elements of the comprehensive plan; and

15. Goal 216 of the comprehensive plan requires that Monroe County provide for hurricane evacuation, shelters and refuges, and communication capabilities to promote safeguarding of the public against the effects of hurricanes and tropical storms; and

16. The County is currently in the process of amending its comprehensive plan and land development regulations to address a broad range of affordable and employee housing issues, which comprehensive plan and regulation amendments the County plans to integrate with permanent emergency housing regulations; and

17. In accordance with the requirements of F.S. 252.46(2), the Board of County Commissioners promulgates this interim development regulation modifying Sections 9.5-227 of the Monroe County Code to provide for the temporary placement of RVs to provide temporary emergency housing for storm-displaced residents, to provide for temporary airport construction housing and to provide for other temporary recovery or reconstruction housing.

NOW, THEREFORE BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MONROE COUNTY, FLORIDA, THAT:

Section 1. Section 9.5-227, Monroe County Code, is hereby amended to read as follows:

Sec. 9.5-227. Temporary Emergency Housing

(a) *Purpose:* It is the purpose of this section to provide interim regulations that allow for the relaxation of the use prohibitions in article VII, division 2 of this chapter to: (1) allow temporary emergency housing during the recovery period from Hurricane Wilma, (2) avoid delay in completing ongoing airport safety and capacity improvements, and (3) provide interim regulatory authority for placement of emergency temporary housing for workers responding to recovery and reconstruction efforts following natural or manmade disasters.

(b) *Definitions:* As used in this Ordinance, the following terms shall have the definitions provided, unless the context clearly provides otherwise:

(1) *Recreation vehicles* shall be as defined in sec. 320.01, Florida Statutes.

(2) *Temporary emergency housing* shall mean "recreational vehicles" used for temporary occupancy in response to Hurricane Wilma or any other named tropical weather event to which recreational vehicles are provided to residents as part of emergency relief efforts;

(c) *Placement of single RV's for temporary emergency housing on single family lots:* notwithstanding the provisions of this chapter, recreational vehicles may be placed on a single family lot for temporary occupancy by tenants displaced by hurricane damage to the lawfully-established dwelling unit on the lot subject to the following conditions:

(1) The dwelling has incurred sufficient damage to make the dwelling uninhabitable as determined by photographic evidence provided by the applicant or an inspection by an official from a federal or state governmental relief agency, the county building department or code enforcement department;

(2) A building permit ~~has been~~ is issued for repair of damages caused by the hurricane to make the residential structure habitable no fewer than ninety (90) days from placement of the RV on the property;

(3) Placement of the RV shall require a no-fee building permit, linked to the building permit issued for hurricane damage repair, that shall require prior to its issuance, approval by the building official of its siting location on the lot and a Department of Health permit authorizing the connection of the RV to an on-site wastewater treatment and disposal system or to an existing community wastewater treatment system;

(4) The size of the RV to be placed on the lots shall be limited to eight (8) feet in width and thirty-two (32) feet, if lacking self-propulsion, and eight (8) feet in width and forty-two (42) feet in length, if self-propelled;

(5) The RV shall remain on the property for a period not to exceed 180 days from the date of permit issuance or until the final inspection or certificate of occupancy is issued on the repairs made to the residential dwelling, whichever comes ~~first~~ later, but in no case more than 180 days from the date of permit issuance without a written extension from the county building official or his representative not to exceed an additional 180 days based upon the building official or his representative's determination that good cause has been shown for the need for an extension and that the RV is adequately tied down and secured so as not to present an undue hazard to persons or property in a high-wind or flood event. However, nothing in this section shall prevent the County or any state or federal authority to terminate without notice the authority to keep any RVs otherwise authorized under this section should it be deemed required for the public safety.

(d) *Placement of RVs for temporary emergency housing on non-residential properties:* Notwithstanding the provisions of this chapter, one or more recreational vehicles may be temporarily placed by permit on properties in non-residential land use districts and on publicly-own lands, excluding lands designated for conservation and resource protection, to house County residents displaced by Hurricane Wilma (or any 2006 tropical storm or hurricane to which the board of county commissioners by resolution extends the time period protections of this section) and/or hurricane recovery workers. The size of the RVs to be temporarily placed shall be in accordance with (c)(4) above. Permitting approval of the temporary placement of RVs shall require submittal of a no-fee permit application to the building department to be approved by the building official, including a site plan pursuant to requirements established by the building official. Upon final inspection by the building official of the temporary construction granted by said permit, authorization for the occupancy of the property for temporary emergency housing shall not exceed 180 days from the date of the final inspection without a written extension from the county building official or his representative not to exceed an additional 180 days based upon the building official or his representative's determination that good cause has been shown for the need for the extension and that the RV is adequately tied down and secured so as not to present an undue hazard to persons or property in a high-wind or flood event. However, nothing in this section shall prevent the County or any state or federal authority to terminate without notice the authority to keep any RVs otherwise authorized under this section should it be deemed required for the public safety.

(e) *Placement of single RV's, trailers and other temporary dwelling structures (together "temporary airport construction housing facilities") for temporary emergency contractor housing on County airport properties:* Notwithstanding the provisions of this chapter, recreational vehicles, trailers and other temporary dwelling structures may be placed on Monroe County airport properties for temporary occupancy by contractors completing airport safety and capacity improvements subject to the following conditions:

- (1) Placement of temporary airport construction housing facilities must not impede or interfere with aviation operations or safety and must conform to any applicable FAA regulations.
- (2) No clearing or filling of environmentally sensitive lands may occur as a result of providing temporary airport construction housing facilities.
- (3) All temporary airport construction housing facilities shall be adequately tied down, provide for proper solid waste disposal, and require a no-fee building permit linked to existing airport construction permits, that shall require prior to their issuance, approval by the County building official of their siting location(s) and Department of Health permits or authorization for the connection of the temporary airport construction housing facilities to an on-site wastewater treatment and disposal system or to an existing community wastewater treatment system.

- (4) Temporary airport construction housing facilities shall ensure that temporary electrical and sewage lines do not constitute an attractive nuisance to children or homeless persons in the area (i.e. sufficient temporary fencing may be required by the building official).
- (5) Temporary airport construction housing facilities shall remain on the property for a period not to exceed 360 days from the date of adoption of this ordinance, unless extended by resolution of the board of county commissioners.
- (6) The only persons permitted to reside for any period in temporary airport construction housing facilities are individuals who while in Monroe County are actually gainfully employed on a fulltime basis in completing airport safety and capacity improvements at a Monroe County airport. All residents or occupants of temporary airport construction housing facilities must be required to timely evacuate in accordance with local evacuation orders.
- (f) Placement of single RV's, trailers and other temporary dwelling structures (together "temporary recovery or reconstruction housing facilities") for temporary emergency worker housing: Notwithstanding the provisions of this chapter, recreational vehicles, trailers and other temporary dwelling structures may be placed on public or private property within Monroe County for temporary occupancy by workers occupied in response to cleanup and reconstruction efforts following a natural or manmade disaster subject to the following conditions:
- (1) An Emergency Directive or Resolution of the board of county commissioners is issued authorizing the placement of the temporary recovery or reconstruction housing facilities.
- (2) Placement of temporary recovery or reconstruction housing facilities must not impede or interfere with other emergency and recovery operations or public safety.
- (3) Temporary recovery or reconstruction housing facilities shall be adequately tied down and provide for proper solid waste disposal, and where used to house workers involved in reconstruction activities, shall require a no-fee building permit linked to the required demolition or building permits for the related reconstruction activities. Where the temporary recovery or reconstruction housing facilities are used to house workers involved in reconstruction activities, any required demolition or building permits for the related reconstruction activities must be issued within ninety (90) days from the placement of the temporary recovery or reconstruction housing facilities on an approved site. Prior to the issuance of no fee building permits for any

temporary recovery or reconstruction housing facilities, the County building official shall approve of the siting of the facilities and the Department of Health shall permit or otherwise authorize the connection of the temporary recovery or reconstruction housing facilities to an on-site wastewater treatment and disposal system or to an existing community wastewater treatment system.

- (4) No clearing or filling of environmentally sensitive lands may occur as a result of providing temporary recovery or reconstruction housing facilities.
- (5) Temporary recovery or reconstruction housing facilities shall ensure that temporary electrical and sewage lines do not constitute an attractive nuisance to children or homeless persons in the area (i.e., sufficient temporary fencing may be required by the building official).
- (6) Temporary recovery or reconstruction housing facilities shall remain in place only for the period expressly set forth in the relevant authorizing emergency directive or board resolution. However, with respect to any particular site, the building official may extend the allowed placement one or more times for a cumulative period not to exceed 180 days, and with respect one or more, or all permitted sites, the board of county commissioners may by resolution extend the period of permitted placement as deemed necessary or expedient to the public good.
- (7) The only persons permitted to reside for any period in temporary recovery or reconstruction housing facilities are individuals who while in Monroe County are actually gainfully employed on a fulltime basis in completing cleanup and reconstruction efforts following a natural or manmade disaster. All residents of temporary recovery or reconstruction housing facilities who were not permanent residents of Monroe County prior to first occupying such housing facilities must be required to evacuate in accordance with local evacuation orders. Residents of any temporary recovery or reconstruction housing facilities who were permanent residents of Monroe County prior to first occupying such housing facilities may not remain in temporary recovery or reconstruction housing facilities during any period when a local evacuation order is in effect.

Section 2. Severability.

If any section, paragraph, subdivision, clause, sentence or provision of this Ordinance shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, invalidate, or nullify the remainder of this Ordinance, but the effect thereof shall be confined to the section, paragraph, subdivision, cause or sentence or provision immediately involved in the controversy in which such judgment or decree shall be rendered.

Section 3. Conflicting Provisions.

In the case of direct conflict between any provision of this ordinance and a portion or provision of any federal or state law, rule, code or regulation, the more restrictive shall apply. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed to the extent of such conflict. However, the suspension of conflicting laws or rules as provided for under F.S. 252.46(2) is intended to and shall apply.

Section 4. Filing.

This ordinance shall be filed with the Office of the Secretary of State of the State of Florida.

Section 5. Effective Date.

This ordinance shall take effect when a copy has been accepted by the postal authorities of the Government of the United States for special delivery by certified mail to the Department of State.

Section 6. Expiration.

This ordinance shall stand repealed as of 11:59 p.m. on the 360th day after the effective date of this ordinance, unless repealed sooner by the Board of County Commissioners.

PASSED AND ADOPTED by the Board of County Commissioners of Monroe County, Florida, at a regular meeting of said Board held on the ___ day of _____, 2006.

Mayor Charles "Sonny" McCoy _____
Mayor Pro Tem _____
Commissioner Dixie Spehar _____
Commissioner George Neugent _____
Commissioner David Rice _____

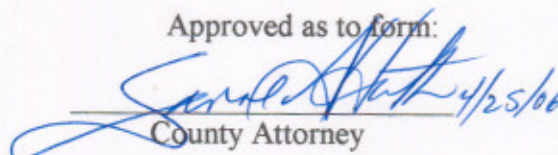
BOARD OF COUNTY COMMISSIONERS
OF MONROE COUNTY, FLORIDA

By: _____
Mayor/Chairman

(SEAL)
ATTEST: DANNY L. KOLHAGE, CLERK

By: _____
Deputy Clerk

Approved as to form:

 4/25/06
County Attorney

Emergency Housing xx-2006 v3 Revised 4-21 ORDINANCE REVISED (e) (5) TO 360
daysAmend Ord. 32-2005

ORDINANCE NO.032-2005

AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS ADOPTING INTERIM AMENDMENTS TO CHAPTER 9.5, MONROE COUNTY CODE [LAND DEVELOPMENT REGULATIONS], IN REPOSE TO HURRICANE WILMA BY CREATING A NEW SECTION 9.5-227, EMERGENCY TEMPORARY HOUSING; PROVIDING FOR TEMPORARY PLACEMENT OF RVS; PROVIDING SPECIFIC STANDARDS AND PROCEDURES FOR APPROVAL OF RVS AS TEMPORARY EMERGENCY HOUSING; PROVIDING FOR REPEAL OF ALL ORDINANCES INCONSISTENT HERewith; PROVIDING AN EFFECTIVE DATE; PROVIDING FOR FILING IN THE OFFICE OF THE MONROE COUNTY CLERK AND THE SECRETARY OF STATE OF THE STATE OF FLORIDA; AND PROVIDING FOR EXPIRATION WITHIN 270 DAYS OF THE EFFECTIVE DATE.

WHEREAS, unincorporated Monroe County has suffered significant property damage, particularly due to the storm surge from Hurricane Wilma; and

WHEREAS, pursuant to F.S. 252.36, the Governor executed executive order 05-219 declaring a state of emergency in Florida; and

WHEREAS, said declaration of emergency specifically invokes F.S.252.46 (1) authorizing political subdivisions to make such orders and rules necessary for emergency management purposes; and

WHEREAS, pursuant to F.S. 252.38 and Monroe County Ordinance No. 028-1987, on October 26, 2005 Monroe County issued a Declaration of Local Emergency for a period of 7 days thereby waiving the procedures and formalities otherwise required by the political subdivision to authorize action as necessary to insure the health, safety and welfare of the community; and

WHEREAS, the County has extended the State of Local Emergency in Monroe County and through Emergency Directive #2005-16 established provisions for the relaxation of the County's Land Development Regulations for the placement of RVs to provide emergency temporary housing; and

WHEREAS, the eventual termination of the State of Local Emergency and the continued need for emergency temporary housing during the Hurricane Wilma recovery period requires the Board of County Commissioners to adopt interim development regulations; and,

WHEREAS, in accordance with the requirements of F.S. 252.46(2), the Board of County Commissioners has promulgated this interim development regulation creating Sections 9.5-227 of the Monroe County Code to provide for the temporary placement of RVs to provide temporary emergency housing for storm-displaced residents.

NOW THEREFORE BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MONROE COUNTY, FLORIDA, THAT:

Section 1. The Board hereby adopts the above referenced statutory citations as findings of fact.

Section 2. Section 9.5-227, Monroe County Code, is hereby created that reads as follows:

Sec. 9.5-227. Temporary Emergency Housing

(a) *Purpose:* It is the purpose of this section to provide interim regulations that allow for the relaxation of the use prohibitions in article VII, division 2 of this chapter to allow temporary emergency housing during the recovery period from Hurricane Wilma.

(b) *Definitions:* As used in this Ordinance, the following terms shall have the definitions provided, unless the context clearly provides otherwise:

- (1) *Recreation vehicles* shall be as defined in sec. 320.01, Florida Statutes.
- (2) *Temporary emergency housing* shall mean "recreational vehicles" used for temporary occupancy in response to Hurricane Wilma;

(c) *Placement of single RV's for temporary emergency housing on single family lots:* Notwithstanding the provisions of this chapter, recreational vehicles may be placed on a single family lot for temporary occupancy by tenants displaced by hurricane damage to the lawfully-established dwelling unit on the lot subject to the following conditions:

- (1) The dwelling has incurred sufficient damage to make the dwelling uninhabitable as determined by photographic evidence provided by the applicant or an inspection by an official from the county building department or code enforcement department;
- (2) A building permit has been issued for repair of damages caused by the hurricane to make the residential structure habitable;
- (3) Placement of the RV shall require a no-fee building permit, linked to the building permit issued for hurricane damage repair, that shall require prior to its issuance, approval by the building official of its siting location on the

lot and a Department of Health permit authorizing the connection of the RV to an on-site wastewater treatment and disposal system or to an existing community wastewater treatment system;

- (4) The size of the RV to be placed on the lots shall be limited to eight (8) feet in width and thirty-two (32) feet, if lacking self-propulsion, and eight (8) feet in width and forty-two (42) feet in length, if self-propelled;
- (5) The RV shall remain on the property for a period not to exceed 180 days from the date of permit issuance or until the final inspection or certificate of occupancy is issued on the repairs made to the residential dwelling, whichever comes first.

(d) *Placement of RVs for temporary emergency housing on non-residential properties:* Notwithstanding the provisions of this chapter, one or more recreational vehicles may be temporarily placed by permit on properties in non-residential land use districts and on publicly-own lands, excluding lands designated for conservation and resource protection, to house County residents displaced by Hurricane Wilma and/or hurricane recovery workers. The size of the RVs to be temporarily placed shall be in accordance with (c)(4) above. Permitting approval of the temporary placement of RVs shall require submittal of a no-fee permit application to the building department to be approved by the building official, including a site plan pursuant to requirements established by the building official. Upon final inspection by the building official of the temporary construction granted by said permit, authorization for the occupancy of the property for temporary emergency housing shall not exceed 180 days from the date of the final inspection.

Section 3. Pursuant to the provisions of F.S. 252.46, this ordinance shall become effective immediately upon filing in the office of the Monroe County Clerk.

Section 4. This ordinance shall stand repealed as of 11:59 p.m. on the 270th day after the effective date of this ordinance, unless repealed sooner by the Board of County Commissioners.

Section 5. If any section, subsection, sentence, clause, item, charge or provision of this ordinance is held invalid, the remainder shall not be affected by such invalidity.

Section 6. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed to the extent of such conflict.

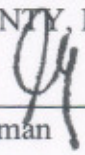
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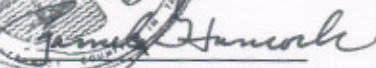
Section 7. This ordinance shall be filed with the Office of the Secretary of State of the State of Florida.

PASSED AND ADOPTED by the Board of County Commissioners of Monroe County, Florida, at a regular meeting of said Board held on the 16th day of November, 2005.

Mayor Charles "Sonny" McCoy	<u>Yes</u>
Mayor Pro Tem Murray Nelson	<u>Yes</u>
Commissioner Dixie Spehar	<u>Yes</u>
Commissioner George Nugent	<u>Yes</u>
Commissioner David Rice	<u>Not Present</u>

BOARD OF COUNTY COMMISSIONERS
OF MONROE COUNTY, FLORIDA

By: 
Mayor/Chairman


Attest: DANNY L. KOLHAGE, Clerk
By: 
Deputy Clerk

MONROE COUNTY ATTORNEY
APPROVED AS TO FORM

Date: 11.24.05

FILED FOR RECORD
2005 DEC -9 PM 3:05
DANNY L. KOLHAGE
CLK. CIR. CT.
MONROE COUNTY, FLA.